Our Reference No. 9369-292



In re	Application of	)	
Maur	ice M. Moloney and Gijs van Rooijen	)	_
Seria	l No. <b>10/763,380</b>	) Art Unit: 163	
Filing	Date: January 26, 2004	) Examiner:	unknown
For:	Preparation of Heterologous Proteins On Oil Bodies	) )	
The (	Commissioner for Patents		

P.O. Box 1450 Alexandria, VA U.S.A. 22313-1450

Dear Sir:

## FILING OF AN INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR 1.97 and 1.98, and in recognition of the duty of disclosure set forth in 37 CFR 1.56, Applicants hereby submit an Information Disclosure Statement on Form PTO-1449 containing a listing of publications of which Applicants are aware. Pursuant to 37 CFR 1.98(d) Applicants are not required to submit the references listed on the Information Disclosure Statement as all of the references were previously submitted by Applicants or were cited by the Examiner in the parent application U.S. Patent Application No. 09/893,525 filed June 29, 2001.

All of the publications submitted herewith are in the English language. Accordingly a concise explanation of the relevance of the documents is not required.

The Examiner is requested to indicate consideration of these documents by initialling the appropriate column.

Applicants reserve the right to contest the applicability of any of these documents as prior art against the subject application. If the Examiner has any questions concerning this Information Disclosure Statement, he/she is requested to contact the undersigned. Entry of the enclosed Information Disclosure Statement is believed to be in order and is respectfully requested.

This Information Disclosure Statement is being filed before the issuance of a first official action, and therefore no fees are required. However, please charge our deposit account No. 02-2095 if such a fee is required.

Respectfully submitted,

MAURICE M. MOLONEY and GIJS VAN ROOIJEN

Micheliné Gravelle

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Dated: August 17, 2004

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PTO/SB/08a (08-03)

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Complete if Known Application Number 10/763,380 INFORMATION DISCLOSURE Filing Date January 26, 2004 STATEMENT BY APPLICANT First Named Inventor Maurice M. Moloney Art Unit 1638 (Use as many sheets as necessary) Examiner Name Unknown Sheet 1 9369-292 of 4 Attorney Docket Number

	U.S. PATENT DOCUMENTS				
Examiner	Cite	Document Number	Publication Date	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant
Initials *	Cite No. <sup>1</sup>	Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	Cited Document	Passages or Relevant Figures Appear
		US-5,650,554	7/22/1997	Moloney et al.	
		US-			
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	FOREIGN PA	TENT DOCU	MENTS		
Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,	
No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵
	EP 0193259	9/1986			
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	Cite No.1	Cite No. 1 Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Cite No. 1 Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)  Publication Date MM-DD-YYYY	Cite No.1  Country Code3 - Number4 - Kind Code5 (if known)  Publication Date MM-DD-YYYY  Publication Applicant of Cited Document	Cite No. 1  Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)  Publication Date MM-DD-YYYY  Name of Patentee or Applicant of Cited Document  Passages or Relevant Figures Appear

Examiner Signature	Date Considered	

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INIEO	PMATION			Application Number	10/763,380
_			CLOSURE	Filing Date	January 26, 2004
STAT	LEMENT B	ΥA	PPLICANT	First Named Inventor	Maurice M. Moloney
				Art Unit	1638
	(Use as many she	ets as	necessary)	Examiner Name	Unknown
Sheet	2	of	4	Attorney Docket Number	9369-292

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	1.	Radke et al., "Transformation of Brassica napus L. using Agrobacterium tumefaciens: Developmentally Regulated Expression of a Reintroduced Napin Gene", Theor. Appln. Genet. (1988) 75:685-694	
	2.	Taylor et al., "Storage-protein Regulation and Lipid Accumulation in Microspore embryos of Brassica napus L.", Planta (1990) 181:18-26	
	3.	Sijmons et al., "Production of Correctly Processed Human Serum Albumin in Transgenic Plants" Bio/Technology (1990) 8:217-221	
	4.	Huang, "Lipid Bodies" Modern Methods Plant Analysis (1985) 1:145-151	
	5.	Misra and Gedamu, "Heavy Metal Tolerant Transgenic Brassica napus L. and Nicotiana tabacum L. Plants" Theor. Appl. Genet. (1989) 78:161-168	
	6.	Hatzopoulos et al., "Interaction of Nuclear Factors with Upstream Sequences of Lipid Body Membrane Protein Gene from Carrot" The Plant Cell (1990) 2:457-467	
	7.	Lee et al., "Maize Oleosin is Correctly Targeted to Seed Oil Bodies in Brassica napus Transformed with the Maize Oleosin Gene" PNAS USA (1991) 88:6181-6185	
	8.	Vance and Huang, "Expression of Lipid Body Protein Gene during Malze Seed Development" J. Biol. Chem. (1988) 263:1476-1481	
	9.	Vance and Huang, "The Major Protein from Lipid Bodies of Maize" J. Biol. Chem. (1987) 262:11275-11279	
	10.	Qu and Huang, "Oleosin KD 18 on the Surface of Oil Bodies in Maize" J. Biol. Chem (1990) 265:2238-2243.	
	11.	Sengupta-Gopalan et al., "Developmentally Regulated Expression of the Bean Beta-phaseolin Gene in Tobacco Seed" PNAS USA (1985) 82:3320-3324	

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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	12.	Fraley et al., "Expression of Bacterial Genes in Plant Cells" PNAS USA (1983) 80:4803-4807	
	13.	Vanderkerckhove et al., "Enkephalins Produced in transgenic Plants using Modified 2S Seed Storage Proteins" BIO/Technology (1989) 7:929-932	
	14.	Murphy et al., "Synthesis of the Major Oil-body Membrane Protein in Developing Rapeseed (Brassica napus) Embryos" Biochem J. (1989) 258:285-293	
	15.	Qu et al., "Characteristics and Biosynthesis of Membrane Proteins of Lipid Bodies in the Scutella of Maize (Zea mays L.)" Biochem. J. (1986) 235:57-65	
	16.	Josefsson et al., "Structure of a Gene Encoding the 1.7 S Storage Protein Napin, from Brassica napus" J. Biol. Chem (1987) 262:12196-12201	
	17.	Scofield and Crouch, "Nucleotide Sequence of A Member of the Napin Storage Protein Family From Brassica napus" J. Biol. Chem. (1987) 262:12202-12208	
	18.	Fujikawa et al., "Bovine Factor X1 (Stuart Factor), Mechanism of Activation by a Protein from Russell's Viper Venom" Biochemistry (1972) 11:4892-4899	
	19.	Nagai et al., "Oxygen Binding Properties of Human Mutant Hemoglobins Synthesized in Escherichia coli" PNAS USA (1985) 82:7252-7255	
-	20.	Scholtissek and Grosse, "A Plasmid Vector System for the Expression of a Triprotein Consisting of Beta galactosidase, a Collagenase Recognition Site and a Foreign Gene Product" Gene (1988) 62:55-64	
	21.	Bevan, "Binary Agrobacterium Vectors for Plant Transformation" Nucl. Acids. Res. (1984) 12:"8711-8721	
	22.	Murphy et al., "A class of Amphipathic Proteins Associated with Lipid Storage Bodies in Plants" Biochem. Biophys. Acta (1991) 1088:86-94	

Examiner	Date	
Signature	Considered	

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	23.	Antoni et al., "A Short Synthetic Peptide Fragment of Human Interleukin 1 with Immunostimulatory But not Inflammatory Activity" J. Immunol. (1986) 137:3201-3204	
	24.	An et al., "New Cloning Vehicles for Transformation of Higher Plants" Embo J. (1985) 4:277-284	
	25.	Hood et al., "The Hypervirulence of Agrobacterium tumefaciens A281 is encoded in a Region of pTiBo542 outside of T-DNA" J. Bacteriol. (1986) 168:1291-1301	
	26.	Holbrook et al., "Oilbody Proteins in Microspore-derived Embryos of Brassica napus" Plant Physiol. (1991) 97:1051-1058	
	27.	Kalinski et al., "Molecular Cloning of a Protein Associated with Soybean Seed Oil Bodies that is Similar to Thiol Proteases of the Papain Family" J. Biol. Chem. (1990) 265:13843-13848	
	28.	Bosch et al., "A trout growth hormone is expressed, correctly folded and partially glycosylated in the leaves but not the seeds of transgenic plants" Transgenic Research (1994) 3:304-310	
	29.	Chen, Jeff C.F. et al., "Cloning and Secondary Structure Analysis of Caleosin, a Unique Calcium-Binding Protein in Oil Bodies of Plant Seeds", Plant Cell Physiol. 40 (10), 1079-1086 (1999).	
	30.	Naested, Henrich, et al., "Caleosin: Ca2+-binding proteins associated with lipid bodies", Plant Molecular Biology, 44:463-476, 2000.	
	31.	Nuccio, Michael L. and Terry L. Thomas, "ATS1 and ATS3: two novel embryo-specific genes in Arabidopsis thaliana", Plant Molecular Biology 39:1153-1163, 1999.	
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